

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

MICHELLE CHIANCONE,

Plaintiff,

v.

BAYADA HOME HEALTH CARE,
INC.,

Defendant.

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CIVIL ACTION

No. 20-cv-4857

ORDER

AND NOW, this 21st day of April, 2022, upon consideration of Defendant Bayada Home Health Care Inc.'s "Motion to Dismiss" (ECF Nos. 12-13), and Plaintiff Michelle Chiancone's response in opposition (ECF No. 13), it is hereby **ORDERED** that Defendant's Motion to Dismiss is **GRANTED in part and DENIED in part** as follows:

1. Defendant's Motion is **DENIED** as to Plaintiff's wrongful termination claim;
2. It is **FURTHER ORDERED** that Plaintiff's claim under the Pennsylvania Whistleblower Law, 43 Pa. Stat. § 1421 et seq, is **DISMISSED without prejudice**.
Within thirty (30) days of the date this Order, Plaintiff may file an Amended Complaint to attempt to cure, if she can do so in good faith, the deficiencies outlined in the accompanying Memorandum Opinion.

BY THE COURT:

/s/ Mitchell S. Goldberg
MITCHELL S. GOLDBERG, J.